

Message

From: Kupchan, Simma [Kupchan.Simma@epa.gov]
Sent: 8/21/2018 6:53:51 PM
To: Wade, Alexis [Wade.Alexis@epa.gov]; Wehling, Carrie [Wehling.Carrie@epa.gov]
Subject: FW: Materials for Matt
Attachments: ESA flowchart_EPA.PDF

Alexis and Carrie,

Ex. 5 AC/DP

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From: Mancusi-Ungaro, Philip
Sent: Friday, August 17, 2018 1:25 PM
To: Albores, Richard <Albores.Richard@epa.gov>; Mills, Derek <Mills.Derek@epa.gov>
Cc: Rubini, Suzanne <Rubini.Suzanne@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>; Mancusi-Ungaro, Philip <Mancusi-Ungaro.Philip@epa.gov>
Subject: Materials for Matt

Attached are:

- 1) RA briefing paper WPD send forward last Friday for Trey – summary of issues
- 2) Gantt chart of the condensed (maximum efficiency) version of our statutory review schedule once we receive an assumption request package

* Please know that the timing depicted in the Gantt chart relied upon Florida initiating a given component of rulemaking on 8/9. . They have not yet initiated that rulemaking component. Here is the general time frame they have to work with:

In order to make a 10/15 submission date, the following would have to play out as the most efficient process possible, assumed start in 8/10:

- 8/10: FDEP internal initiation of NOPR process
- 8/14: FDEP sends to OFARR for 7-day review
- 8/21-9/11: 21-day NOPR (Notice of Proposed Rule) comment period starts
- 9/13: FDEP holds public hearing 2 days after NOPR public comment ends (7 days post-public comment allowed)
- 9/14: FDEP files rule with Secretary of State for 30-day waiting period (**note: this only allows for one day to consider comments received at public hearing)
- 10/14: 30-day window with Secretary of State ends. Rule becomes final if not challenged.
- ***All of the above assumes no legal challenges at any point during this process.

The 8/6 image is the ESA flowchart that FDEP shared with us, that they represented was shared with David Ross by some stakeholders although they cannot guarantee it was the same flow chart.

And the EPA ESA flowchart.

Do you have or if not need, the ESA draft MOA language and supporting memo that OGC shared with Matt before. Our flowchart follows it.

The last item, Status of assumption, is a biweekly report we create for the WDD to keep her updated on Assumption issues.

Call me if you need something else.

Phil

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